THE MINISTER OF STATE OF THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) to (d) While the State Government welcome NRIs to set up Industrial and trade ventures in the State, there is no special scheme or incentives for this purpose.

Killings by Militants in Jammu and Kashmir

2959. SHRI SATISH PRADHAN: Will the Minister of HOME AFFAIRS be pleased to state:

(a) what is the number of Kashmir is killed by various groups of militants in Jammu and Kashmir during the last three years; and

(b) the number of militants killed by the security forces in Kashmir during the same period?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS: (SHRI RAJESH PILOT): (a) and (b) According to available information 24756 civilians were killed during the years 1991 to 1993. 2743 militants were killed by the security forces during the same period.

TADA Detenues in the Country

2960. SHRI O.P. KOHLI: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the Supreme Court has ruled that the designated court has no power to remand a TADA accused to custody is the police failed to complete investigation within six months to one year;

(b) if so, the details thereof;

(c) the action Government has taken or propose to take thereon;

(d) the number of TADA detenues in the country, State/Union Territory-wise, since when they are under detention and the reasons for not completing the investigation within 180 days or in one year where the permission of the designated courts have been taken;

(e) whether similar orders had been given by the Supreme Court in the past about the release of undertrials whose investigation also has not been completed within six months;

(f) if so, the details thereof;

(g) the action Government had taken thereon; and

(h) the number of undertrials languishing in the jails on account of delay in the completion of the investigation by the police or delay on the part of the courts etc.?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI RAJESH PILOT): (a) and (b) The Supreme Court vide its order dated 12.7.94 in Hitendra Vishnu Thakur Vs. State of Maharashtra has ruled that the investigating agencies are required to filed chargesheet within a period of 180 days from the date of arrest of an accused in a TADA case; and if it is not possible to complete investigation within 180 days, the designated court can extend the period of detention upto one year on the report of Public Prosecutor. The Supreme Court has also ruled that if the investigating agencies do not complete the investigation within 180 days or within the period extended by the designated court on the report of the Public Prosecutor, the accused shall be released on bail if he applies for bail.

(c) The investigating agencies are duty bound to conform to the provisions of amended sub-seciton 4 of section 20 of the Principal act (TADA Act ' 87).

(d) The available information upto period ending March' 94 regarding number of TADA detenues State/UT-wise is in the statement attached. (*See* below). The information regarding the date of detention is not maintained by this Ministry. TADA cases are complicated in nature having inter-state and even international ramifications. In several cases some of the prime accused are absconding and the investigating agencies have to make effort for their

before putting up chargesheet in the court. It is because of these reasons that the investigations get delayed.

(e) to (g) To the best of our knowledge Supreme Court has not passed any such order.

(h) The information is not being maintained by this Ministry.

Statement

Details regarding the number of TADA detenus in the country / state / union Territory-wise

Sl No.	*Name of the State/U.T.*	*Available informaiton regarding number of TADA detention*
1.	*Andhra Pradesh*	*8692*
2.	*Arunachal Pradesh*	*104*
3.	*Assam*	*11684*
4.	*Bihar*	*93*
5.	*Goa*	*4*
6.	*Gujrat*	*19263*
7.	*Haryana*	*1740*
8.	*Himachal Pradesh*	*59*
9.	*Jammu & Kashmir*	*2557*
10.	*Karnataka*	*215*
11.	*Maharashtra*	*2219*
12.	*Madhya Pradesh*	*355*
13.	*Manipur*	*1480*
14.	*Meghalaya*	*15*
15.	*Mizoram*	*29*
16.	*Punjab*	*15175*
17.	*Rajasthan*	*468*
18.	*Tamil Nadu*	*235*
19.	*Tripura*	*47*
20.	*U.P.*	*1098*
21.	*West Bengal*	*531*
22.	*A & N Islands*	*1*
23.	*Chandigarh Admn.*	*253*
24.	*Delhi*	*1192*
25.	*Kerala*	*N.A.*
	Total	*67509*

Note 1 : 53492 persons released on bail.

Note 2.: As per available information, the State Govt. of Nagaland, Orissa, Sikkim, Dadra & Nagar Haveli, Daman and Diu, Lakshadweep and Pondicherry have not invoked the provision of TA DA.

N.A. Not available.